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OFFICE OF PETITIONS

In re Application of
Ragnar Ledesma et al
Application No. 10/021,128
Filed: December 12, 2001
Attorney Docket No. 60130-986 00MRA
0576

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DECISION GRANTING
PETITION

This is a decision on the petition under 37 CFR 1.10(c) filed on January 22, 2002 (original copy) and May 24, 2002 (faxed copy), which is properly treated as a petition under 37 CFR 1.10(d), requesting that the above-identified application be accorded a filing date of December 12, 2001, rather than the presently accorded filing date of December 19, 2001.

Applicants request the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on December 12, 2001, pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of the USPS Track/Confirm system information showing that the package bearing Express Mail label No. EL747232823US was enroute on December 12, 2001. The same Express Mail receipt number appears on the copy of the original application transmittal letter submitted with present petition.

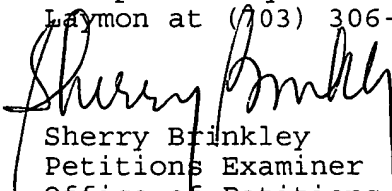
In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on December 12, 2001.

The petition is granted.

No petition fee is required and none has been charged.

The application is being returned to Initial Patent Examination Division for correction of the filing date to December 12, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (203) 306-5685.


Sherry Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy